IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

SEAN SWAIN,

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Plaintiff.

Case No. 2: 23-cv-2809

:

v.

Judge Algenon L. Marbley

Magistrate Judge Chelsey M. Vascura

ANNETTE CHAMBERS-SMITH,

Director, Ohio Department of Rehabilitation and Corrections.

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Defendant.

ORDER

This matter is before this Court on the Magistrate Judge's Report and Recommendation ("R&R") that Plaintiff Sean Swain's claims against Defendant Anette Chambers-Smith, Director of the Ohio Department of Rehabilitation and Corrections ("ODRC"), be partially dismissed. (ECF No. 27). The Magistrate Judge issued the R&R on July 25, 2024, and advised Mr. Segovia that he had fourteen (14) days to raise any objections. (*Id.* at 13). The R&R also cautioned that failure to do so would waive Mr. Swain's right to *de novo* review. (*Id.*). No objections to the R&R have been filed, and the time for making any objections has passed.

Having reviewed the R&R, this Court finds the Magistrate Judge's analysis to be well-reasoned and thorough and ADOPTS the R&R in its entirety. (ECF No. 27). Mr. Swain may proceed on his official-capacity First Amendment claims to the extent those claims seek injunctive or declaratory relief, but his official-capacity claims for damages are hereby **DISMISSED**.

IT IS SO ORDERED.

LGENON L)MARBLE

DATED: October 4, 2024

INITED STATES DISTRICT JUDGE